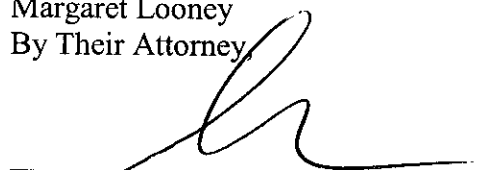


The parties jointly propose to the court the following discovery plan:

- a. Discovery will be needed as to liability and damages. The parties have discussed phased discovery but feel it will not be helpful in this case.
 - b. All non-expert discovery commenced in time to be completed by November 1, 2005. All interrogatories and requests for production must be served by July 15, 2005.
 - c. Maximum of 30 interrogatories by each party to any other party. Responses will be due forty-five (45) days after service.
 - d. Maximum of 30 requests for admission by each party to any other party. Responses due thirty (30) days after service. Requests should also be served no later than 90 days prior to the date set for trial.
 - e. The parties agree to the maximum number of depositions per party under the Federal Rules of Civil Procedure.
 - f. The parties have agreed to a maximum of one seven-hour day for each deposition.
 - g. Reports from retained experts under Rule 26(a) due from plaintiff by January 1, 2006, and from defendant by March 1, 2006.
 - h. Supplementations regarding non-expert disclosures under Rule 26(e) due January 1, 2006.
 - i. Independent Medical Evaluations should be completed by February 15, 2006. The plaintiff will advise the defendant whether he will voluntarily agree to submit to the examination by June 30, 2005.
 - j. Plaintiff agrees to execute authorizations to the defendant for copies of relevant medical records. Parties to discuss the specifics of the authorizations exchange in the future.
4. Other items
- a. The parties request a pretrial conference in December 2005.
 - b. Plaintiff and Defendant should be allowed until July 1, 2005, to join additional parties and until August 1, 2005, to amend the pleadings.
 - c. All potentially dispositive motions should be filed by November 1, 2005.
 - d. Final lists of witnesses and exhibits under Rule 26(a)(3) should be due from plaintiff and defendant by the pre-trial conference.
 - e. Parties should have ten (10) days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).
 - f. The case should be ready for trial by March 2006 and at this time is expected to take approximately two (2) days.
 - g. The parties are willing at this time to assent to trial before a magistrate judge.

Respectfully submitted,

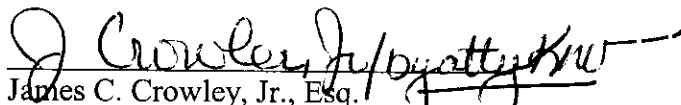
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